

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

SHELLY JONES,

Plaintiff,

vs.

**KILOLO KIJAKAZI, Acting
Commissioner of Social Security
Administration,**

Defendant.

NO.: CV-23-66-GF-BMM

**ORDER AWARDING EAJA FEES
AND COSTS**

Plaintiff Shelly Jones ("Jones"), by and through her attorney, John E. Seidlitz, Jr., moves under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), for attorney fees and filing costs incurred in prosecuting her Social Security appeal. Plaintiff requests \$9,161.02 in fees, and \$402.00 in costs. Costs are not paid by agency funds, but rather by the Judgment Fund.

Defendant Commissioner of Social Security ("Commissioner") has been contacted and does stipulate to the requested fees and costs.

Accordingly, **IT IS ORDERED** that Defendant shall pay \$9,161.02 in fees under the Equal Access to Justice Act, 28 U.S.C. §2412, as well as \$402.00 in filing costs.

IT IS FURTHER ORDERED that if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows:

Seidlitz Law Office
P.O. Box 1581
Great Falls, MT 59403-1581

However, if there is a debt owned under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and any remaining EAJA fees after offset will be paid by a check made out to Plaintiff, but delivered to Plaintiff's attorney.

DATED this 8th day of July, 2024.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United State District Court